

1 HOUSE BILL NO. 201

2 INTRODUCED BY K. HOLMLUND, D. BEDEY, J. DOOLING, F. GARNER, M. HOPKINS, L. JONES, B. LER,
3 B. PHALEN, J. SCHILLINGER, T. WELCH, K. WHITMAN, K. BOGNER

4
5 A BILL FOR AN ACT ENTITLED: "AN ACT CLARIFYING THE CALCULATION OF ZONE PAY AND TRAVEL
6 ALLOWANCES IN A PREVAILING WAGE DISTRICT; PROVIDING A DEFINITION; AMENDING SECTION 18-
7 2-411, MCA; AND PROVIDING AN EFFECTIVE DATE."

8
9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

10
11 **Section 1.** Section 18-2-411, MCA, is amended to read:

12 **"18-2-411. Creation of prevailing wage rate districts.** (1) Without taking into consideration heavy
13 construction services and highway construction services wage rates, the commissioner shall divide the state
14 into not more than five prevailing wage rate districts for building construction services and nonconstruction
15 services.

16 (2) In initially determining the districts, the commissioner shall:

- 17 (a) follow the rulemaking procedures in the Montana Administrative Procedure Act; and
18 (b) publish the reasons supporting the creation of each district.

19 (3) A district boundary may not be changed except for good cause and in accordance with the
20 rulemaking procedures in the Montana Administrative Procedure Act.

21 (4) The presence of collective bargaining agreements in a particular area may not be the sole basis
22 for the creation of boundaries of a district, nor may the absence of collective bargaining agreements in a
23 particular area be the sole basis for changing the boundaries of a district.

24 (5) For each prevailing wage rate district established under this section:

25 (a) the commissioner shall determine the standard prevailing rate of wages to be paid employees, as
26 provided in this part. The standard prevailing rate of wages for construction services, as determined by the
27 commissioner in this subsection, must be used for calculating an apprentice's wage, as provided in 39-6-108,

28 (b) zone pay must be determined by measuring the road miles in one way over the shortest practical

1 maintained route from the dispatch city to the center of the job; and
2 (c) the rate of travel allowances must be computed by measuring the road miles in one direction over
3 the shortest practical maintained route from the dispatch city or the employee's home, whichever is closest to
4 the center of the job.
5 (6) As used in this section, "dispatch city" means the courthouse in either Billings, Bozeman, Butte,
6 Great Falls, Helena, Kalispell, Miles City, Missoula, or Sidney that is closest to the center of the job and within
7 the same prevailing wage district as the job."

8

9 NEW SECTION. Section 2. Effective date. [This act] is effective July 1, 2021.

10

- END -